

PATENT

ATTORNEY DOCKET NO.: 049846-5003

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Application of:

Thomas R. ANTHONY et al.

Application No.: 10/069,362

Filed: February 25, 2002

Group Art Unit: Unassigned

Examiner: Unassigned

For: HIGH PRESSURE/HIGH TEMPERATURE PRODUCTION  
OF COLORED DIAMONDSCommissioner of Patents  
**BOX MISSING PARTS**  
Washington, D.C. 20231RESPONSE TO NOTICE TO FILE MISSING PARTS

1. This replies to the Notice to File Missing Parts of Nonprovisional Application mailed April 9, 2002.

A copy of the Notice To File Missing Parts Of Nonprovisional Application is enclosed.

2. Declaration Or Oath

☒ No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney.

☐ The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.

☐ The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

3. English Translation of Non-English Language Papers

☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

Also enclosed is the Verification of Translation Document.

4. Small Entity Status

☐ Small entity status under 37 C.F.R. § 1.27 is asserted for the present application.

## 5. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total months requested	Fee for extension	[fee for Small Entity]
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$200.00
<input type="checkbox"/> three months	\$ 920.00	\$460.00
<input type="checkbox"/> four months	\$1,440.00	\$720.00
<input type="checkbox"/> five months	\$1,960.00	\$980.00

Extension of time fee due with this request: \$

If an additional extension of time is required, please consider this a Petition therefor.

- ☒ Applicants believe that no extension of time is required. However, in the event applicant has inadvertently overlooked the need for a petition and fee for extension of time, applicants hereby petition for such an extension and requests that any fee therefor be charged to our Deposit Account No. 50-0310.

## 6. Assignment

- ☒ An assignment of the invention to General Electric Company and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

## 7. Fee Calculation

7. Fee Calculation

					Fee Code
Basic Fee (\$740.00)					101/201
	Number Filed	Number Extra	at a Rate of (Lg./Sm.Entity)		
Total Claims	- 20 =		\$18/\$9 each=	\$	103/203
Independent Claims	- 3 =		\$84/\$42 each=	\$	101/202
Multiple dependent claim(s), if any			\$280/\$140	\$	104/204
SUB-TOTAL =				\$	
Late Filing Surcharge Fee (37 C.F.R. § 1.16(e))			\$130/\$65	\$130.00	105/205
Extension Fee (37 C.F.R. § 1.17(a)(1)-(5))		\$110/\$55 (1 Month)			115/215
		\$400/\$200 (2 Months)			116/216
		\$920/\$460 (3 Months)			117/217
		\$1440/\$720 (4 Months)			118/218
		\$1960/\$980 (5 Months)		\$	128/228
SUB-TOTAL =				\$130.00	
Fee For Application Filed With A Non-English Specification (37 C.F.R. § 1.17(i) and § 1.52(d))			\$130.00	\$	139
Assignment Recordation Fee			\$ 40.00	\$40.00	581
TOTAL FILING FEE =				\$170.00	

## 8. Fee Payment

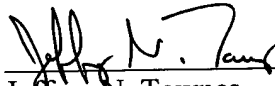
- ☒ Please charge Deposit Account No. 50-0310 in the amount of \$170.00 representing the total fee due.
- ☐ The Commissioner is hereby authorized to charge the total fee due to Deposit Account 50-0310.
- ☒ **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

## 9. Additional papers enclosed.

- ☐ Preliminary Amendment
- ☐ Submission of Formal Drawings with \_\_\_\_\_ sheets of drawings
- ☐ Claim for Priority
- ☐ Certified copy of priority document
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, \_\_ references as listed
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
- ☐ Other: \_\_\_\_\_

Respectfully submitted,

MORGAN, LEWIS &amp; BOCKIUS LLP

  
\_\_\_\_\_  
Jeffrey N. Townes  
Reg. No. 47,142

06/10/2002 GFREY1 00000091 500310 10069362  
01 FC:154 130.00 CH

Date: June 5, 2002

**CUSTOMER NO. 09629**  
MORGAN, LEWIS & BOCKIUS LLP  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
Telephone: (202) 739-3000  
Facsimile: (202) 739-3001



UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/069,362	FIRST NAMED APPLICANT Thomas R. Anthony	ATTY. DOCKET NO. 049846-5003
INTERNATIONAL APPLICATION NO. PCT/US00/23247		
I.A. FILING DATE 08/25/2000		PRIORITY DATE

 009629  
 MORGAN LEWIS & BOCKIUS LLP  
 1111 PENNSYLVANIA AVENUE NW  
 WASHINGTON, DC 20004

CONFIRMATION NO. 8127

371 FORMALITIES LETTER



\*OC000000007821623\*

Date Mailed: 04/09/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements

Docketed 0-4-16-07 Attorney JAL/JAL/JNT  
 Case 49846-5003  
 Due Date 6-9-02  
 Action Missing Requirements  
 By SDW Chk PSB

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

**RECEIVED**A copy of this notice **MUST** be returned with the response.**APR 15 2002**

MORGAN, LEWIS &amp; BOCKUS LLP

LAMONT M HUNTER

Telephone: (703) 305-3686

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/069,362	PCT/US00/23247	049846-5003

FORM PCT/DO/EO/905 (371 Formalities Notice)